



Alaska Department of Transportation and Public Facilities

MANUAL

Statewide Contracting and Procurement

CONSTRUCTION CONTRACTING WARRANT SYSTEM



MARCH, 2002



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Attachments

Attachment 1 Construction Contracting Warrant Form



A. Definitions

"Action" – Includes any matter or proceeding in a court, civil or criminal.

"Approved" or **"Approval"** – Written approval by the Regional or Divisional Director or Delegated Operating Agency Commissioner or his/her authorized representative.

"Authorized" – Means authorized by a written delegation under 2 AAC 12.740 by the head of an agency that has a delegation of procurement authority based on a written determination of capability under AS 36.30.015(a).

"Award" – The acceptance of the successful bid.

"Certificate of Appointment" – A warrant. A written delegation of authority to an individual that states any limitation on the scope of construction procurement authority to be exercised, other than limitations contained in applicable laws or regulations.

"Certification" – A process through which the Department determines that an individual meets the mandatory training and experience, and continuing education standards established for a warrant level.

"Change Order" – A written order signed by an authorized contracting officer, directing the contractor to make changes that the changes clause of the contract authorizes the contracting officer to order.

"Chief Contracting Officer" or "DOT&PF Chief Contracting Officer" – The Department of Transportation and Public Facilities head of contracting.

"Construction" – The process of building, altering, repairing, maintaining, improving, or demolishing a public highway, structure, building, or other public improvement of any kind to real property other than privately owned real property leased for the use of agencies; it includes services and professional services relating to planning and design required for the construction; it does not include the routine operation of a public improvement to real property nor does it include the construction of public housing.

"Continuing Education/Training" – Any education or training standard required for maintaining certification.

"Contract" – All types of state agreements, regardless of what they may be called, for the procurement or disposal of supplies, equipment for the state fleet, services, professional services, or construction.

"Contracting Officer" – The Regional or Division Director, or Commissioner of a Delegated Operating Agency receiving construction delegation authority, or their delegated representative, authorized to enter into and administer the Contract on behalf of the Department/Delegated Operating Agency. He or she has authority to make findings, determinations and decisions with respect to the Contract and, when necessary, to modify or terminate the Contract. The Contracting Officer is identified on the construction Contract.

"Delegated Operating Agency" – A state agency that has a delegation for construction authority from the DOT&PF.

"Department" – In the context of this document, means the Alaska Department of Transportation and Public Facilities. References to "Owner", "State", "Contracting Agency", means either the Department or the relevant Delegated Operating Agency receiving construction delegation authority.



"Departmental Policy" – Policy of the Alaska Department of Transportation and Public Facilities.

"May" – In some degree, is likely to do something; generally, indicates that a choice or action is permissive but not mandatory. Indicates a judgment, usually dependent on interpretation of unique circumstances.

"Must" – Commanded or required to do something; synonymous with "shall".

"Procurement" – Means buying, purchasing, renting, leasing, or otherwise acquiring supplies, equipment for the state fleet, services, or construction; it also includes functions that pertain to the obtaining of a supply, equipment for the state fleet, service, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.

"Procurement Authority" – It is at times unclear which category of procurement can be approved at which level of hierarchy. DPDR 10.01.040 ALTERNATE PROCUREMENTS explains certain of these levels of authority. If you are uncertain of your authority, ask.

"Professional Services" – Means professional, technical, or consultant's services that are predominantly intellectual in character, result in the production of a report or the completion of a task, and include analysis, evaluation, prediction, planning, or recommendation.

"Project" – The total construction, of which the work performed under the Contract Documents, is the whole or a part, where such total construction may be performed by more than one Contractor.

"Project Manager" – The authorized representative of the Regional or Division Director, or Commissioner of a Delegated Operating Agency receiving construction delegation authority, who is responsible for administration of the Contract.

"Recommending Official" – Refers to a warrant applicant's directing manager who is authorized by the Regional or Division Director, or Commissioner of a Delegated Operating Agency receiving construction delegation authority to act in that capacity. The Recommending Official will pass an individual's application with a recommendation to the DOT&PF Chief Contracting Officer. The Recommending Official is responsible for the management and oversight of any warrants issued under his or her responsibilities.

"Regulation" – AS 44.62.640(3) provides in part:

"regulation" means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of a rule, regulation, order, or standard adopted by a state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure, except one that regulates only to the internal management of a state agency;

"regulation" includes "manuals", "policies", "instructions", "guides to enforcement", "interpretive bulletins", "interpretations", and the like, that have the effect of rules, orders, regulations, or standards of general application, and this and similar phraseology may not be used to avoid or circumvent this chapter, whether a regulation, regardless of name, is covered by this chapter depends in part on whether it affects the public or is used by the agency in dealing with the public;

"Research and Technology Transfer Group (T2)" - T2 is the training arm of the DOT&PF known technically as the Research and Technology Transfer Group. They are the exclusive providers of the training for this Warrant program. Their website is:

http://www.dot.state.ak.us/external/state_wide/proc/top.html



"Shall" – Used to express a command; mandatory; generally, used in context of directing to do something.

"Should" – Should is used in an advisory sense; no sanctions or penalties can be used to enforce it.

"Small Procurement" – From AS 36.30.320, "A procurement for supplies, services, or professional services that does not exceed an aggregate dollar amount of \$50,000, construction that does not exceed an aggregate dollar amount of \$100,000, or lease of space that does not exceed 3,000 square feet may be made in accordance with regulations adopted by the commissioner for small procurements. - Small procurements need not be made through competitive sealed bidding or competitive sealed proposals but shall be made with competition that is practicable under the circumstances.

"State Agency" – A state department or agency, whether in the legislative, judicial, or executive branch; it does not include the University of Alaska, a municipality, or an agency of a municipality.

"Termination for Cause" – Termination when there is evidence of misconduct, unethical behavior, or blatant disregard for procurement regulations.

"Unauthorized Commitment" – An agreement that is not binding solely because the Government Representative who made it lacked the authority to enter into that agreement on behalf of the Government.

"Warrant" – A certificate of appointment to individuals that states any limitation on the scope of construction authority they may exercise, other than limitations contained in applicable laws or regulations.

"Warranted Person" – A Departmental or Delegated Operating Agency employee who has been appointed with a DOT&PF warrant for construction authority to procure under a defined maximum amount in a particular position within the Department, or an appropriate Delegated Operating Agency.

B. Purpose

- B.1 Supplements coverage of Alaska Statute, Title 36, Public Contracts and 2 AAC 12.
- B.2 Implements the State of Alaska, Department of Transportation and Public Facilities (Department) policy to formalize the delegation of authority for construction related procurements to the lowest possible level to ensure expedience and competence in the procurement process for professional services and other construction related procurement and contract administration activities.

C. Scope

- C.1 The Warrant System is intended for use in activities leading to the development and execution of construction and construction related projects.
- C.2 The Warrant System policies and procedures apply to all employees in the Department who are responsible for encumbering the Department via the procurement of professional services and construction related activities, including the construction of ferries and related equipment. Additionally, the policy applies to those employees of Delegated Operating Agencies who are acting under the delegated authority from the DOT&PF for construction activities for their agencies.



- C.3 Construction Contracting Warrants are issued, at the discretion of the Department, to those employees delegated the procurement authority to support the Department or a Delegated Operating Agency in the previously listed activities.

The warrant certifies that the holder has met the requirements for procurement authority at a certain level, but does not delegate which procurement activities a warrant holder is authorized to perform.

D. Authority

Alaska Statute, Title 36, Public Contracts.

2 AAC 12.

Policy & Procedure # 10.02.021.

E. Responsibilities

E.1 DOT&PF Commissioner

The DOT&PF Commissioner is responsible for delegation of authority for construction related procurements.

E.2 DOT&PF Chief Contracting Officer

The DOT&PF Chief Contracting Officer is responsible for:

E.2.1 Re-delegating authority and appointing and terminating warrant officers.

E.2.2 Reviewing of warrant officer application and termination requests.

E.2.3 Approving or disapproving warrant requests.

E.2.4 Maintaining central records (application, copy of warrant certificate, maintenance, training and experience records).

E.2.5 Disseminating information on current interpretations or changes to statutes.

E.2.6 Training programs oversight.

E.3 Regional, Division Directors or Commissioners of a Delegated Operating Agency

The Regional, Division Directors or Commissioners of a Delegated Operating Agency are responsible for:

E.3.1 Re-delegating authority and appointing Recommending Officials.



E.4 Recommending Officials of the Regional or Division Directors or Commissioners of Delegated Operating Agencies

The Recommending Officials are responsible for:

- E.4.1 Recommending and nominating the appropriate number of warranted persons at appropriate warrant levels necessary to meet the intent of this Warrant System.
- E.4.2 Assessing a warranted persons relative career experience.
- E.4.3 Completing the actions necessary to initiate and sustain these warrants, such as assure any experience, continuing education or training requirements are met prior to recommendation of a warrant application to the DOT&PF Chief Contracting Officer.
- E.4.4 Initiating appropriate warrant authority termination actions.
- E.4.5 Performing an annual review prior to 1 July that examines the warrants under jurisdiction to assure 1) warrants are actively used, 2) staff have the correct warrant for level, dollar authority and position referenced, and 3) all unused warrants are terminated for 'administrative' and for 'cause' reasons.

E.5 Warranted Person

A warranted individual is responsible for:

- E.5.1 Carrying out the needed procurement activities by committing the Department or Delegated Operating Agency to appropriate levels of contract obligations.
- E.5.2 Ensuring procurement rules and regulations and Departmental policy is adhered to in every procurement action.
- E.5.3 Immediately reporting any possible conflict of interest to their immediate supervisor.
- E.5.4 Meeting continuing education requirements to stay current with their delegation.

F. Basic Requirements

- F.1 Warrants are only issued where procurement authority is essential to the support of the program.
- F.2 Employee training shall be emphasized to ensure that individuals are aware of and comply with all applicable Alaska Procurement Rules and Regulations, Departmental Policies and Procedures. Descriptions of current training courses are referenced in the Training Section of this manual.
- F.3 Experience is judged by the Recommending Official who is familiar with the needs and requirements of the employee's position and warrant responsibilities.
- F.4 The warrant system has a numbering process for tracking. Individuals who have been issued warrants shall ensure that all procurement documents include their name as it appears on the warrant, their signature and their warrant number.



F.5 Exceptions

- F.5.1 Commissioner's, Directors or other management positions who do not conduct procurements are not required to obtain Warrant certification. Performing ministerial management tasks like signing contracts or authorizing someone else to solicit for or procure construction related contracts is not considered procurement and does not require certification.
- F.5.2 Employees without warrants shall not have the authority to procure for the Department unless the action falls within one of the exemptions listed below.
 - a) Procurements of less than \$5,000.
- F.5.3 A warranted person may exceed his or her warrant level or delegated authority in the event of an emergency requiring protection of life or property. Notification must be provided immediately to his or her supervisor, and the DOT&PF Chief Contracting Officer.

G. Effective Dates of Warrants

The schedule for the Warrant System is full implementation by January 1, 2004. Provisional Warrants need be issued immediately to all current individuals designated by the Regional or Division Directors or Delegated Operating Agency Commissioners. Applications for Provisional Warrants during program start-up are to be submitted to the DOT&PF Chief Contracts Officer by April 1, 2002.

New hires or transferee's needing time to obtain the training necessary to obtain their Certified Warrant may also be issued a Provisional Warrant. The Provisional Warrant must state the date of its' expiration. Provisional Warrants may be extended, by the DOT&PF Chief Contracts Officer, for good cause.

All Warrants have an effective life of three years that is tied to meeting tri-annual (over three years) continuing education (CE) requirements. When required CE's are met, the warrant may be renewed.

H. Warrant Levels and Qualifications

There are six warrant levels increasing in dollar value from the lowest value, from \$5,000 to \$10,000 at Level 1 to an unlimited dollar value at Level 6.

Some Department and Delegated Operating Agency staff positions are herein identified as those which typically require a particular warrant level. A current complete listing of the Department's certified warrants, with positions and their warrant levels, is maintained in the Warrant System Records Management System. The individual warrant qualifications identify the minimum training requirements. Increased warrant levels require increased training and qualifications. Following the Level Descriptions is a matrix provided to aid in the evaluation and comparison of the six warrant levels.



LEVEL 1

Warrant Amount:	Between \$5,000 to \$10,000
Example Positions:	Delegated Operating Agency Facilities Maintenance
Qualifications:	<u>Training:</u> 8 hours, Alaska Procurement Rules and Regulations and Departmental Policies and Procedures <u>Experience:</u> Discretion of Recommending Official
Qualifications Equivalencies:	Justifications of proposed equivalencies for training or experience requirements are to be submitted in writing with the warrant application through appropriate recommending channels to the DOT&PF Chief Contracting Officer for consideration.
Continuing Education:	Must accumulate, within three years of Warrant issuance date, 12 hours of training on current practices and interpretations of Alaska Procurement Rules and Regulations, Departmental Policies and Procedures.
Comments:	Appropriate within the warrant financial limits, for small construction procurements.

LEVEL 2

Warrant Amount:	Up to \$25,000
Example Positions:	Project Engineer, Public Facility Project Technician
Qualifications:	<u>Training:</u> 16 hours - same subjects as Level 1, plus Contract Administration. <u>Experience:</u> Discretion of Recommending Official
Qualifications Equivalencies:	Justifications of proposed equivalencies for training or experience requirements are to be submitted in writing with the warrant application through appropriate recommending channels to the DOT&PF Chief Contracting Officer for consideration.
Continuing Education:	Must accumulate, within three years of Warrant issuance date, 24 hours of training on current practices and interpretations of Alaska Procurement Rules and Regulations, Departmental Policies and Procedures.
Comments:	Appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.



LEVEL 3

Warrant Amount:	Up to \$50,000
Example Positions:	Project Manager, Public Facility Project Manager
Qualifications:	<u>Training:</u> 24 hours - same subjects as Level 2, plus Effective Negotiating II. <u>Experience:</u> Discretion of Recommending Official
Qualifications Equivalencies:	Justifications of proposed equivalencies for training or experience requirements are to be submitted in writing with the warrant application through appropriate recommending channels to the DOT&PF Chief Contracting Officer for consideration.
Continuing Education:	Must accumulate, within three years of Warrant issuance date, 24 hours of training on current practices and interpretations of Alaska Procurement Rules and Regulations, Departmental Policies and Procedures.
Comments:	Appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.

LEVEL 4

Warrant Amount:	Up to \$100,000
Example Positions:	Construction Group Chief, Statewide Planning Director, appropriate staff of DOA/DivALP, DOA/GS, DE&ED, DPS
Qualifications:	<u>Training:</u> 32 hours - same subjects as Level 3, plus Contract Law. <u>Experience:</u> Discretion of Recommending Official
Qualifications Equivalencies:	Justifications of proposed equivalencies for training or experience requirements are to be submitted in writing with the warrant application through appropriate recommending channels to the DOT&PF Chief Contracting Officer for consideration.
Continuing Education:	Must accumulate, within three years of Warrant issuance date, 24 hours of training on current practices and interpretations of Alaska Procurement Rules and Regulations, Departmental Policies and Procedures.
Comments:	Appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.



LEVEL 5

Warrant Amount:	Up to \$250,000
Example Positions:	Chief of Construction, Chief of Public Facilities, Marine Highway Manager, Appropriate staff of DOA/DivIS, DH&SS, DM&VA, DF&G, DOC.
Qualifications:	<u>Training:</u> 40 hour - same subjects as Level 4, plus Innovative Contracting. <u>Experience:</u> Discretion of Recommending Official
Qualifications Equivalencies:	Justifications of proposed equivalencies for training or experience requirements are to be submitted in writing to the DOT&PF Chief Contracting Officer for consideration.
Continuing Education:	Must accumulate, within three years of Warrant issuance date, 36 hours of training on current practices, interpretations of Alaska Procurement Rules and Regulations, Departmental Policies and Procedures, and process review.
Comments:	Appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.

LEVEL 6

Warrant Amount:	Unlimited dollar value
Example Positions:	DOT&PF Chief Contracting Officer Region Directors Chief Engineer Appropriate staff of AID&EA, DC&RA, DNR Preconstruction Engineers Chief of Contracts D&ES Division Chief
Qualifications:	<u>Training:</u> 48 hours - same subjects as Level 5, plus Advanced Contract Law. <u>Experience:</u> As directed by the Commissioner.
Qualifications Equivalencies:	Justifications of proposed equivalencies for training requirements are to be submitted in writing, for consideration, to the DOT&PF Chief Contracting Officer; or to the Commissioner in the case of the DOT&PF Chief Contracting Officer.
Continuing Education:	Must accumulate, within three years of Warrant issuance date, 36 hours of training on current practices, interpretations of Alaska Procurement Rules and Regulations, Departmental Policies and Procedures, and process review.
Comments:	Appropriate for signature of all construction PSA contracts and major change orders.



I. Warrant Levels and Qualifications Matrix

Warrant Level	Warrant Amount	Example Positions	Qualifications	Continuing Education	Comments
1	From \$ 5,000 Up to \$ 10,000	<ul style="list-style-type: none"> Delegated Operating Agencies Facilities Maintenance 	Training: 8 hours – Alaska Procurement Rules and Regulations Experience: Discretion of Recommending Official	12 hours in three years, current practices and interpretations of statutes	Level 1 appropriate for small construction procurement.
2	\$ Up to 25,000	<ul style="list-style-type: none"> Project Engineer PF Project Tech 	Training: 16 hours – Same as Level 1 plus Contract Administration Experience: Discretion of Recommending Official	24 hours in three years, current practices and interpretations of statutes	Level 2 appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.
3	\$ Up to 50,000	<ul style="list-style-type: none"> Project Manager PF Project Manager 	Training: 24 hours – Same as Level 2 plus Effective Negotiating II Experience: Discretion of Recommending Official	24 hours in three years, current practices and interpretations of statutes	Level 3 appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.
4	\$ Up to 100,000	<ul style="list-style-type: none"> Construction Group Chief Statewide Planning Director Appropriate staff of DOA/DivALP, DOA/GS, DE&ED, DPS 	Training: 32 hours – Same as Level 3 plus Contract Law Experience: Discretion of Recommending Official	24 hours in three years, current practices and interpretations of statutes	Level 4 appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.
5	\$ Up to 250,000	<ul style="list-style-type: none"> Chief of Construction Chief of PF Marine Highway Manager Appropriate staff of DOA/DivIS, DH&SS, DM'VA, DF&G, DC 	Training: 40 hours – Same as Level 4 plus Innovative Contracting Experience: Discretion of Recommending Official	36 hours in three years, current practices, interpretations of statutes, and process review	Level 5 appropriate within the warrant amount, for small construction procurements, construction field change orders, and Letters of Agreements and amendments or changes for Professional Services Agreements (PSA). These are examples of the probable warrant uses at this level.
6	\$ Unlimited	<ul style="list-style-type: none"> DOT&PF Chief Contracting Officer Regional Directors Chief Engineer D&ES Division Chief Preconstruction Engineers Chief of Contracts Appropriate staff of AIDEA, DCRA, DNR 	Training: 48 hours – Same as Level 5 plus Advanced Contract Law Experience: As directed by the Commissioner	36 hours in three years, current practices, interpretations of statutes, and process review	Level 6 appropriate for signature of all construction PSA contracts and major change orders.



J. Scope of Warrants

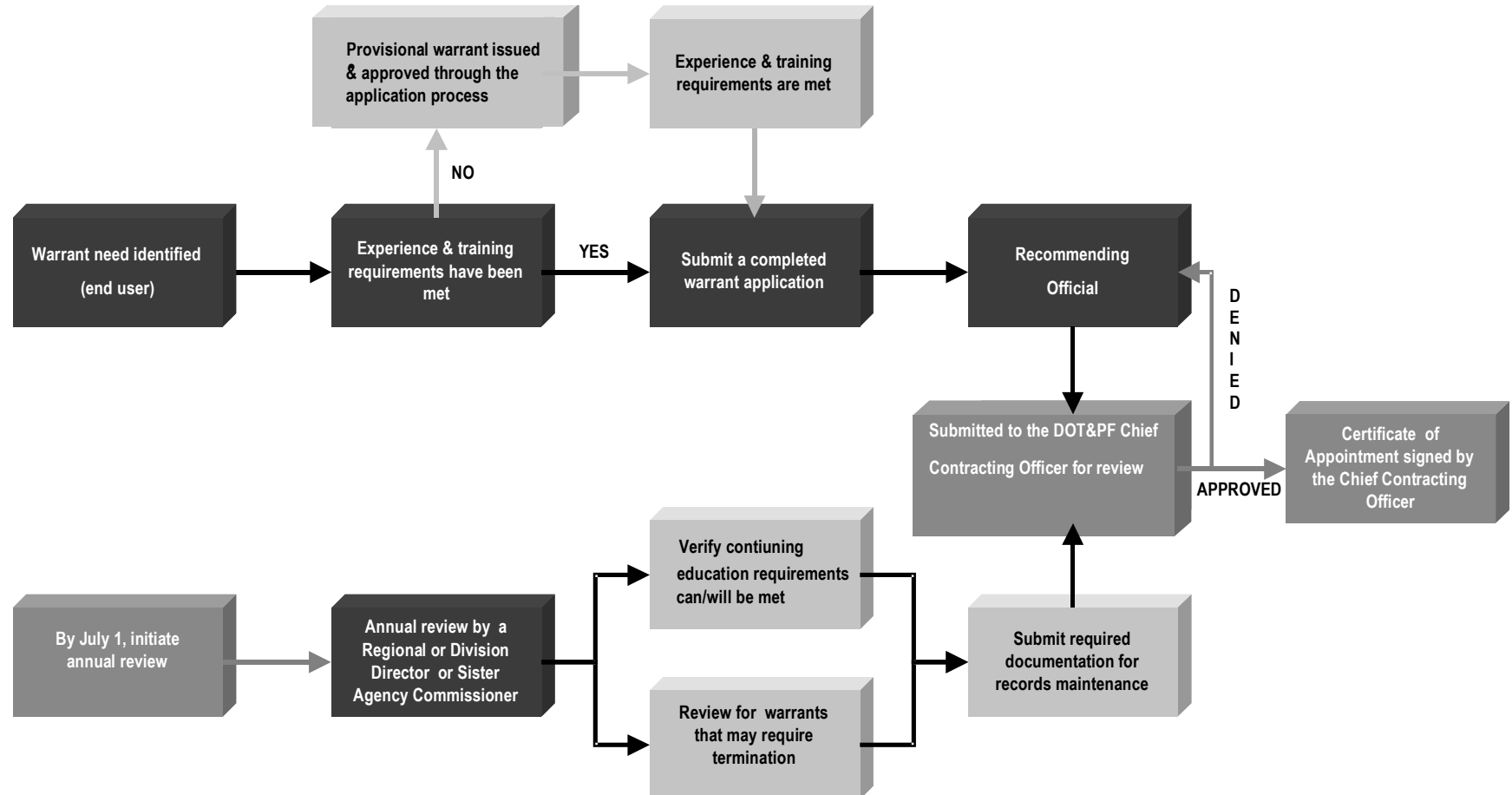
- J.1 Warrants are issued to trained, experienced individuals to facilitate the construction related procurement activities requirements throughout the Department or Delegated Operating Agency.
- J.2 Delegations of procurement authority are given at the discretion of the Department.
- J.3 Warrants are issued to named individuals and they may not be transferred or re-delegated to any other individual.
- J.4 Each warrant level carries a maximum value, however, the warrant authority actually delegated may be any amount up to that maximum. Delegations of authority for the activities and dollar value an individual must operate under are provided by the appropriate Recommending Official.
- J.5 An individual must submit a Department Officers' Warrant form of Notification to receive approval to use an existing warrant when transferring into a new position.
- J.6 A Provisional Warrant is approved and issued during the first two years of the program (i. e. until January 1, 2004) to allow individuals to secure training necessary to achieve the requirements for receiving the Certified Warrant. And, it is issued in cases (up to one year after issuance) where a new employee is hired or transfers into the department or Agency and needs time to secure the training to become Certified Warranted.
- J.7 A Certified Warrant is valid for up to three years after issuance. When the required continuing education requirements are met, the Certified Warrant may be renewed.
- J.8 A "Special Projects - Interim Warrant" is an interim warrant issued just for a special project. It is approved and issued in cases where it is in the Department's best interest to allow an existing warrant holder a warrant at a higher level only for the length of a specific project.

K. Application and Maintenance Process Flow Chart

- K.1 The process flow on the following page summarizes the steps of submitting a warrant application, monitoring active warrants and ensuring the continuing education requirements are met.
- K.2 "Application Process", "Maintenance", "Termination", and "Records Management" Sections provide detailed policy and process of the steps outlined in the above referenced process flow chart.



Warrant Application and Maintenance Process Flow Chart





L. Warrant Application Process

- L.1 The Department Construction Contracting Warrant form is used for the following purposes, and it is available from the DOT&PF Chief Contracting Officer:
 - L.1.1 Initial Warrant Application;
 - L.1.2 Provisional Warrant Application;
 - L.1.3 "Special Projects - Interim Warrant" Application;
 - L.1.4 Increase Existing Warrant Authority;
 - L.1.5 Deletion of Warrant from Warrant System due to Administrative Termination; and/or
 - L.1.6 Deletion of Warrant from Warrant System Due to Termination for Cause; and or
 - L.1.7 Administrative (Name Change).
- L.2 Each warrant request should include the following support documentation as applicable:
 - L.2.1 Department Construction Contracting Warrant Form;
 - L.2.2 Copies of certificate of completion of required training;
 - L.2.3 Copies of course description and certificate of completion of any proposed equivalency training. Also include any prior approvals of acceptance as equivalent training by recommending official; and
 - L.2.4 Copies of validation of experience qualifications (resume or list of past work experience).
- L.3 The Recommending Official reviews the application request and supporting documentation for completeness, evaluates the applicant's experience and training, and either recommends approval or returns the application request to the applicant with information as to why approval is not recommended.
- L.4 The DOT&PF Chief Contracting Officer reviews the application request and supporting documentation for completeness, evaluates the applicant's experience, and training and approves or disapproves the recommendation. In the case of the DOT&PF Chief Contracting Officer's Warrant, the DOT&PF Commissioner reviews the application and approves or disapproves the Warrant request.
- L.5 A Warrant is issued to the individual applicant, stating the Warrant number and the level of Warrant authority. Any applicable restrictions are noted.
- L.6 The newly issued Warrant is added to the Warrant Records Management System.
- L.7 Warrants are not transferable between individuals.
- L.8 An individual must submit a Department Officers' Warrant form of Notification to receive approval to use an existing Warrant when transferring into a new position.



M. Maintenance

Maintenance of the Warrant is set up on a three year term. Warranted persons are required to maintain their Warrants through continued training outlined for each of the levels in Section H - "Warrant Level and Qualifications." Proof of training, including the name of the instructor, sponsoring agency, date, location and subject matter is to be submitted to the DOT&PF Chief Contracts Officer when CE training is completed.

N. Terminations

- N.1 Warrants may be terminated at any time at the discretion of the DOT&PF Chief Contracting Officer. The Warrant may be terminated for administrative reasons, or for cause. Typical reasons for terminating Warrants are that the need for a warrant no longer exists, maintenance training requirements have not been met, or that the Warrant holder is separated from the Department. Warrants may be terminated for cause when there is evidence of misconduct, unethical behavior, or disregard for Alaska Procurement Rules and Regulations, or Departmental Policies and Procedures. The Department Commissioner is responsible for any necessary actions relative to the DOT&PF Chief Contracting Officer's warrant.
- N.2 Once a person leaves a position, resigns, or retires, the Warrant holder or his or her supervisor shall promptly submit a written request for termination, or transfer of the Warrant through the Recommending Official to the DOT&PF Chief Contracting Officer. Appropriate warrant termination action will then be taken.

O. Records Management System

- O.1 The Warrant Records Management System is managed by the DOT&PF Chief Contracting Officer.
- O.2 The DOT&PF Chief Contracting Officer is responsible for performing an annual review prior to 1 July that examines the warrants under jurisdiction to assure:
 - O.2.1 Compliance with continuing education requirements
 - O.2.2 Warrants are actively used
 - O.2.3 Staff have the correct warrant for level
 - O.2.4 Dollar authority and position referenced
 - O.2.5 All unused warrants are terminated for 'administrative' and for 'cause' reasons
- O.3 The Warrant Records Management System tracks the following data:
 - O.3.1 Name of warranted personnel
 - O.3.2 Position
 - O.3.3 Level of the warrant
 - O.3.4 Delegated dollar authority (if less than the warrant level authority)
 - O.3.5 Continuing education requirements expiration
 - O.3.6 Training courses completed
 - O.3.7 Summary of approved experience
 - O.3.8 Warrant termination date
 - O.3.9 Cause for warrant termination



- O.4 Recommending Officials shall annually review the warrants under their jurisdiction to assure:
 - O.4.1 Warrants are actively used
 - O.4.2 Staff have correct warrant levels, dollar authority, position reference
 - O.4.3 Unused warrants are terminated due to 'administrative' or 'cause' purposes
- O.5 The system will track the database information from receipt of the application and annual submittals for continuing education requirements.

P. Training

All of the Qualifications training classes will be offered under the T2 program. Though they are not to be used to supplant T2 provided Qualifications training, outside classes may be considered on a case-by-case, prior approval basis.

The Department of Administration classes on procurement do not substitute for the training requirements of this program. However, certain of those classes may be considered for meeting continuing education requirements.

Training requirements for the various warrant levels are identified in Section H – "Warrant Level and Qualifications." The following Departmental training courses are presented in order of increasing complexity and contain the kinds and type of information generally to be covered in the individual courses. These guides may be used by the Regional and Division Directors, Delegated Operating Agency Commissioners, and the DOT&PF Chief Contracting Officer in evaluating proposed substitute course work.

- P.1 Procurement Rules & Regulations: Training will address Alaska procurement rules and regulations, Departmental policies and procedures, Code of Ethics, mandatory and non-mandatory procurement restrictions, exemptions and transfer of responsibility, basic purchasing and solicitation, Alaska preference, professional versus non-professional services, solicitations, evaluation of response, documentation and protest procedures.
- P.2 Contract Administration: Training will address administering contracts under the Alaska Procurement Rules and Regulations, Departmental Policies and Procedures, to enforce performance, quality, warranty as well as other contract terms. Issuing and negotiating changes and negotiating supplemental agreements, including analysis of claims or other requests for adjustment under other contract mechanisms such as delay of work clauses. Reviewing incurred costs and indirect costs for allowability and allocation, approval of invoices, progress payment requests, and/or cost vouchers for payment. Analyzing available remedies in the event of unsatisfactory performance and executing an appropriate course of action, including termination for default or convenience.
- P.3 Effective Negotiating II: Training will emphasize communications skills necessary for successful contract negotiations and include role-playing and feedback. Training will address recognizing key negotiation concepts, predicting each side's power base, strategies and tactics, guidelines for concessions, effective questioning and listening skills, handling different behavior styles, impasse alternatives, body language and room arrangement, telephone negotiations, difficult negotiators and common errors.
- P.4 Contract Law: A comprehensive training course that covers a range of legal issues that frequently arise in State of Alaska contracting. It will set out the principles that must be understood to ensure that all contracting actions are in accordance with the law, regulations, and legal precedents.



- P.5 Innovative Contracting: Training will provide an industry overview of negotiated type contracts such as Design/Build, Best Value, Single Source, and Professional Services Agreements.

Training will address best practices evaluation of the various types of proposals, independent evaluation, and documentation of negotiations and findings.

- P.6 Advanced Contract Law: Training will address the general principles of state contract law, describe the statutory and administrative control of funds, explain socioeconomic policies associated with small businesses and labor standards (i.e. Davis Bacon, DBE, ADA), discuss contract formation issues and the bid process, and describe legal considerations associated with post award contract administration, claims, and terminations.